

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 18-0122V

UNPUBLISHED

HEATHER SNYDER,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: December 13, 2019

Special Processing Unit (SPU);  
Damages Decision Based on Proffer;  
Influenza (Flu) Vaccine; Complex  
Regional Pain Syndrome (CRPS)

*Paul R. Brazil, Muller Brazil, LLP, Dresher, PA, for petitioner.*

*Christine Becer, U.S. Department of Justice, Washington, DC, for respondent.*

### **DECISION AWARDING DAMAGES<sup>1</sup>**

On January 25, 2018, Heather Snyder filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,<sup>2</sup> (the “Vaccine Act”). Petitioner alleges that she developed complex regional pain syndrome (CRPS) in her right shoulder as a result of receiving an influenza vaccination on October 20, 2016. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On February 8, 2019, a ruling on entitlement was issued, finding Petitioner entitled to compensation for CRPS. On December 6, 2019, Respondent filed a proffer on award of compensation (“Proffer”) indicating Petitioner should be awarded \$115,000.00. Proffer at 1. In the Proffer, Respondent represented that Petitioner

<sup>1</sup> Because this unpublished ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

agrees with the proffered award. *Id.* Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Proffer.

Pursuant to the terms stated in the attached Proffer, **I award Petitioner a lump sum payment of \$115,000.00 in the form of a check payable to Petitioner.** This amount represents compensation for all damages that would be available under § 15(a).

The clerk of the court is directed to enter judgment in accordance with this decision.<sup>3</sup>

**IT IS SO ORDERED.**

s/Brian H. Corcoran

Brian H. Corcoran  
Chief Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS  
OFFICE OF SPECIAL MASTERS**

HEATHER SNYDER, )  
Petitioner, )  
v. ) No. 18-122V  
SECRETARY OF HEALTH AND ) Chief Special Master Corcoran  
HUMAN SERVICES, ) ECF  
Respondent. )  
\_\_\_\_\_  
)

**RESPONDENT'S PROFFER ON AWARD OF COMPENSATION**

On February 8, 2019, respondent filed a Vaccine Rule 4(c) report concluding that petitioner suffered an injury that is compensable under the National Childhood Vaccine Injury Act of 1986, as amended, 42 U.S.C. §§300aa-10 to -34. Accordingly, on February 8, 2019, the Chief Special Master issued a Ruling on Entitlement, finding that petitioner was entitled to vaccine compensation for her Chronic Regional Pain Syndrome ("CRPS").

**I. Items of Compensation**

Based upon the evidence of record, respondent proffers that petitioner should be awarded \$115,000.00 which represents all elements of compensation to which petitioner would be entitled under 42 U.S.C. § 300aa-15(a).<sup>1</sup> Petitioner agrees.

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<sup>1</sup> Should petitioner die prior to entry of judgment, the parties reserve the right to move the Court for appropriate relief. In particular, respondent would oppose any award for future medical expenses, future lost earnings, and future pain and suffering.

**II. Form of the Award**

The parties recommend that the compensation provided to petitioner should be made through a lump sum payment of \$115,000.00 in the form of a check payable to petitioner.

Petitioner agrees.

Petitioner is a competent adult. Evidence of guardianship is not required in this case.

Respectfully submitted,

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Date: December 6, 2019